

Message Text

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ORIGIN EB-08

INFO OCT-01 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00
DOTE-00 INR-10 NSAE-00 FAA-00 L-03 ARA-10 /034 R

DRAFTED BY EB/OA/AVP:JSGRAVATT:PMA

APPROVED BY EB/OA/AVP:AJWHITE

FAA:JHSHAFFER

ARA/ECA:SMYLES

-----021371 311609Z /43

R 311309Z MAY 78

FM SECSTATE WASHDC

TO AMEMBASSY BRASILIA

INFO AMCONSUL RIO DE JANEIRO

AMCONSUL SAO PAULO

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E.O. 11652: N/A

TAGS: EAIR, BR

SUBJECT: RECENT PRESS COMMENTS ON BANDEIRANTE
CERTIFICATION

REF: BRASILIA 4022

IN ANSWER TO LAST PARA. OF REFTEL THE DEPT HAS
OBTAINED THE FOLLOWING INFORMATION FOR THE EMBASSY FROM
FAA REGARDING THE PRECISE LIMITS OF AIR TAXI OPERATIONS
THAT WOULD BE CERTIFIABLE UNDER FAR 23 PLUS SPECIAL
CONDITIONS:

1. FEDERAL AVIATION REGULATION (FAR) PART 135 APPLIES
TO:

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(A) AIR TAXI OPERATIONS CONDUCTED UNDER THE EXEMPTION
AUTHORITY OF CAB REGULATION 298;

(B) TRANSPORT OF MAIL BY AIRCRAFT CONDUCTED UNDER A
"STAR ROUTE" CONTRACT AWARD;

(C) THE CARRYING IN AIR COMMERCE BY ANY PERSON OTHER

THAN AN AIR CARRIER, OF PERSONS OR PROPERTY FOR COMPENSATION OR HIRE (COMMERCIAL OPERATIONS) IN SMALL AIRCRAFT;

2. PART 135.144 STATES THAT NO PERSON MAY OPERATE A RECIPROCATING OR TURBO-PROPELLER POWERED SMALL AIRPLANE IN 135 OPERATIONS THAT HAS A PASSENGER SEATING CAPACITY, EXCLUDING ANY PILOT SEAT, OF TEN OR MORE SEATS UNLESS THAT AIRCRAFT IS TYPE CERTIFICATED:

(A) IN THE TRANSPORT (I.E. PART 25) CATEGORY;

(B) BEFORE JULY 19, 1970 IN THE NORMAL (I.E. FAR 23) CATEGORY AND MEETS SPECIAL CONDITIONS ISSUED BY THE ADMINISTRATOR FOR AIRPLANES INTENDED FOR USE IN PART 135 OPERATIONS;

(C) BEFORE JULY 1, 1970 IN THE NORMAL CATEGORY AND MEETS THE ADDITIONAL AIRWORTHINESS STANDARDS IN SFAR NO. 23; OR

(D) IN THE NORMAL CATEGORY (I.E. FAR 23) AND MEETS THE ADDITIONAL AIRWORTHINESS STANDARDS PRESCRIBED IN APPENDIX A OF PART 135. (WHICH OUTLINES ADDITIONAL AIRWORTHINESS STANDARDS OVER AND ABOVE FAR 23).

3. IF ADOPTED, FAA NOTICE OF PROPOSED RULEMAKING
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77-17 WOULD PROHIBIT INTRODUCTION OF ANY AIRCRAFT SEATING TEN OR MORE PASSENGERS INTO PART 135 OPERATIONS AFTER AUGUST 19, 1977 UNLESS IT MEETS FAR 25 TRANSPORT CATEGORY STANDARDS. SO-CALLED COMMUTER AIRLINES ARE COVERED BY PART 135. AIR CARRIERS SUCH AT TWA, UNITED, ETC. ARE COVERED BY THE OPERATING RULES OF PART 121.
VANCE

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NNN

Message Attributes

Automatic Decaptoning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PRESS COMMENTS, AIRCRAFT, AIR SAFETY REGULATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 31 may 1978
Decapton Date: 01 jan 1960
Decapton Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE137105
Document Source: CORE
Document Unique ID: 00
Drafter: JSGRAVATT:PMA
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780227-0501
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t1978052/aaaaabqz.tel
Line Count: 101
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: dcc5ba96-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 BRASILIA 4022
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2573195
Secure: OPEN
Status: NATIVE
Subject: RECENT PRESS COMMENTS ON BANDEIRANTE CERTIFICATION
TAGS: EAIR, BR, US, BANDEIRANTE
To: BRASILIA
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/dcc5ba96-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014